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In re Application of

A. DUGAN, et al.

Serial No.: 09/420,666

Filed: October 19, 1999

For: INTELLIGENT NETWORK

Group Art Unit: 2742

Examiner: Unassigned

Hon. Assistant Commissioner
of Patents and Trademarks
Washington, D.C. 20231

In the Decision Refusing Status under 37 C.F.R. 1.47(a) mailed on October 3, 2000, the U.S. Patent and Trademark Office indicated that the Petition under 37 C.F.R. 1.47(a) filed February 16, 2000 was dismissed because it lacked proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration. Applicants reply with the following submission to meet the requirements for acceptance of the petition under 37 C.F.R. 1.47(a).

In another attempt to have Mr. Allen M. Holmes execute the Declaration, the undersigned requested in a cover letter sent to Mr. Holmes' current residence address that co-inventor Mr. Holmes review a copy of the specification, claims and drawings, and return an executed copy of the Declaration and Assignment. (see ATTACHMENT A,

Roberts Letter to Holmes. November 2, 2000). The last known residence address for Mr. Allen M. Holmes is:

5375 Chambrey Ct.

Colorado Springs, CO 80919-3539

As evidenced by a copy of the Return Receipt (ATTACHMENT B, Domestic Return Receipt) the letter was signed for and received at the last known address of Mr. Holmes. The cover letter specifically requested that the papers be signed and returned to the undersigned no later than November 17, 2000. The undersigned has received no such correspondence from Mr. Holmes. Furthermore, the undersigned received no evidence that Mr. Holmes will be executing the Declaration.

Based upon the above-described communication to Mr. Holmes, and based upon information and belief that Mr. Holmes has received a copy of the application and Declaration, Applicants submit that Mr. Holmes has again failed to cooperate in executing the Declaration. Please find enclosed a courtesy copy of the Declaration signed by the remaining inventors of the present application (ATTACHMENT C, Declaration).

In view of the fact that joint applicant and co-inventor Allen M. Holmes has a copy of the application and Declaration and has clearly failed to sign the Declaration. The remaining requirements under 37 C.F.R. 1.47(a) (i.e., the Declaration is an acceptable Declaration under 37 C.F.R. §1.63, the appropriate petition fee accompanied the Petition, and Mr. Holmes' last known address has been provided) have been provided as indicated in the Decision Refusing Status.

Thus, the granting of this Petition is respectfully requested.

Respectfully submitted,

MCI WorldCom

A handwritten signature in black ink, appearing to read "Paul A. Roberts", written over the printed name.

Paul A. Roberts

Registration No. 40,289

MCI World Com
1133 19th Street, N.W.
Washington, DC 20036
(202) 736-6604 PAR
Date: December 15, 2000
Facsimile: 202-736-6824

ATTACHMENT A

Roberts' Letter to Holmes dated November 2, 2000



WORLD COM

Law and Public Policy
Technology Law Group
1133 19th Street, NW
Washington, DC 20036

VIA EXPRESS (EK293738865US)
RETURN RECEIPT REQUEST

November 2, 2000

Allen M. Holmes
5375 Chambrey Ct.
Colorado Springs, CO 80919-3539
Ref. No.: COS-98-006

Dear Mr. Holmes:

Several attempts have been made to reach you in regards to a patent application entitled "Intelligent Call Processing System for a Telecommunications Network (Next Generation Intelligent Network (NGIN))", filed October 19, 1999 with the United States Patent and Trademark Office (USPTO). You are named as a co-inventor of the application, and your signature on some formal filing papers is required. Failure to respond to this notice may result in abandonment of the application.

Enclosed are copies of the Assignment and Declaration, the specification, claims, and drawings for your review and signature. Please review and sign the enclosed Assignment and Declaration so that we can make a timely response to the USPTO.

Please return these papers to us by close of business by November 17, 2000 at:

MCI WorldCom, Inc.
Technology Law Department
[9854/003]
1133 19th Street, NW
Washington, DC 20036
Attn: Paul A. Roberts

Otherwise, we will assume you are either unwilling or unable to cooperate in this regard. If you have further questions, please feel free to contact me directly. Thank you in advance for your assistance on this matter.

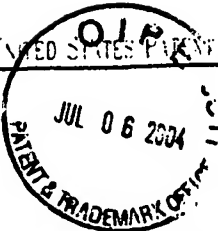
Best regards,

Paul A. Roberts
Associate Technology Counsel
Patent Acquisition Team
Tel: (202) 736-6604
Fax: (202) 736-6382

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

Technology Department
MCI WorldCom Inc.
1133 19th Street, N.W.
Washington, DC 22036

COPY MAILED

Paper No. 11

FEB 22 2001

OFFICE OF PETITIONS
A/C PATENTS

In re Application of
Dugan et al.
Application No. 09/420,666
Filed: October 19, 1999
Attorney Docket No. COS-98-006
For: Intelligent Network

:
: DECISION ACCORDING
: STATUS UNDER
: 37 CFR 1.47(a)
:
:

This is in response to the renewed petition under 37 CFR 1.47(a) filed December 18, 2000.

The petition is granted.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application after having been presented with the application papers.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The file will be forwarded to Technology Center 2700.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (703) 306-5683.

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

WORLD COM

Law and Public Policy
Technology Law Group
1133 19th Street, NW
Washington, DC 20036



VIA EXPRESS (EK293738865US)
w/ RETURN RECEIPT REQUEST

November 2, 2000

Allen M. Holmes
5375 Chambrey Ct.
Colorado Springs, CO 80919-3539
Ref. No.: COS-98-006

Dear Mr. Holmes:

Several attempts have been made to reach you in regards to a patent application entitled "Intelligent Call Processing System for a Telecommunications Network (Next Generation Intelligent Network (NGIN))", filed October 19, 1999 with the United States Patent and Trademark Office (USPTO). You are named as a co-inventor of the application, and your signature on some formal filing papers is required. Failure to respond to this notice may result in abandonment of the application.

Enclosed are copies of the Assignment and Declaration, the specification, claims, and drawings for your review and signature. Please review and sign the enclosed Assignment and Declaration so that we can make a timely response to the USPTO.

Please return these papers to us by close of business by November 17, 2000 at:

MCI WorldCom, Inc.
Technology Law Department
[9854/003]
1133 19th Street, NW
Washington, DC 20036
Attn: Paul A. Roberts

Otherwise, we will assume you are either unwilling or unable to cooperate in this regard. If you have further questions, please feel free to contact me directly. Thank you in advance for your assistance on this matter.

Best regards,

A handwritten signature in dark ink, appearing to read "Paul A. Roberts".

Paul A. Roberts
Associate Technology Counsel
Patent Acquisition Team
Tel: (202) 736-6604
Fax: (202) 736-6382

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov



Paper No. 12

Allen M. Holmes
5375 Chambrey Ct.
Colorado Springs, CO 80919-3539

COPY MAILED

In re Application of
Dugan et al.
Application No. 09/420,666
Filed: October 19, 1999
Attorney Docket No. COS-98-006
For: Intelligent Network

:
: LETTER
:
:
:

FEB 22 2001

**OFFICE OF PETITIONS
A/C PATENTS**


Dear Mr. Holmes:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (703) 306-5683.


Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: Technology Department
MCI WorldCom Inc.
1133 19th Street, N.W.
Washington, DC 22036